

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: **Siegbert Vial**

Confirmation No.: **4319**

Serial No: **09/889,535**

Examiner: **Justine Romang Yu**

Filing Date: **January 16, 2002**

Group Art Unit: **3751**

For: **WRITING INSTRUMENT WITH VARIABLY INCLINABLE TIP**

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

According to the Notice of Non-Compliant Amendment (37 C.F.R. §1.121) mailed May 24, 2006, the Amendment filed on May 15, 2006, was non-compliant due to improper identification of the replacement drawing sheets and an incomplete listing of the claims.

The replacement drawing sheets were identified in the top margin as "Substitute" drawing sheets rather than "Replacement" drawing sheets. Drawing sheets 1-5 are re-submitted herewith and each has been labeled "Replacement Sheet."

The amendment to the claims was considered to lack the text of all pending claims and claims 2-35 were found to be missing. Reconsideration is requested. Claims 1 and 2 were both shown in the amended claims. Applicant sought to cancel those of claims 3-35 that were still pending. Applicant submits a new copy of the claims as amended wherein claims 1 and 2 are currently amended and all of claims 3-35 are identified as canceled.

Respectfully submitted,

Date: June 26, 2006
Docket D4695-83

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